



Section 5  
PATENT  
032757.0002

Upon reasonable basis and information and belief, I hereby certify, to the best of my knowledge, that this correspondence, including any papers, letters, or fees referred to as being attached, enclosed, or otherwise affixed herewith, is being deposited with the United States Postal Service on the date set forth below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name of Person Certifying Deposit: JOHN H D'ANTICO

Signature of Person Certifying Deposit: John H. D'Antico

Date of Deposit: Sept 11, 2001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application: 09/858,203  
Filing Date: May 15, 2001  
Inventor: Roland H. DeLeon  
Title: SYSTEM AND METHOD FOR PROCESSING AN AUDIO SIGNAL PRIOR TO ENCODING  
Examiner: To Be Assigned  
Art Unit: 2644  
Attorney Docket: 032757.0002

**SUBMISSION OF MISSING PARTS AND RELATED APPLICATION PAPERS  
INCLUDING SUBSTITUTE DRAWINGS**

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**1. Documents Enclosed:**

In response to the **NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)**, which was mailed to the Applicant by the U.S. Patent and Trademark Office on July 17, 2001, please find the following enclosed:

- ☒ A copy of said Notice to File Missing Parts;
- ☒ Fee Transmittal Sheet;
- ☒ Fee;
- ☒ Declaration of Inventorship;

- ☒ Substitute Drawings in Compliance with 37 CFR 1.84 (five figures on four sheets); and
- ☒ Return Postcard.

**2. APPLICABLE FEES:**

<b>BASIC FILING FEE:</b>		\$ 710
Total Claims	129 - 20 = 109 x \$ 18	\$ 1,962
Independent Claims	4 - 3 = 1 x \$ 80	\$ 80
Multiple Dependent Claims	\$ 270 (if applicable)	<input type="checkbox"/> \$
Surcharge under 37 CFR § 1.16(e)	\$ 130 (if applicable)	<input checked="" type="checkbox"/> \$ 130
<b>TOTAL OF ABOVE CALCULATIONS:</b>		\$ 2,882
Reduction by ½ for Small Entity Status	(if applicable)	<input checked="" type="checkbox"/> \$ 1,441
Extension of Time	(fee from above) (if applicable)	<input type="checkbox"/> \$
Assignment	\$ 40 (if applicable)	<input type="checkbox"/> \$
<b>TOTAL FEES SUBMITTED HERewith:</b>		<b>\$ 1,441</b>

**3. METHOD OF PAYMENT OF FEES:**

- ☒ One check in the total amount of \$1,441 is enclosed to cover the above fees.
- ☒ The Commissioner is authorized to charge Counsel's Deposit Account No. **50-1273** for any required fees that are not covered, in whole or in part, by said check enclosed herewith, and to credit any overpayments to said Deposit Account **50-1273**.

Respectfully submitted,

**BROBECK, PHLEGER & HARRISON LLP**

Dated: Sept. 11, 2001

By: John H. D'Antico  
John H. D'Antico  
Reg. No. 45,917

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/858,203	05/15/2001	Roland H. DeLeon	032757.0002

CONFIRMATION NO. 2512

## FORMALITIES LETTER



\*OC000000006304086\*

John H. D'Antico  
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4801 Plaza on the Lake  
Austin, TX 78746



Date Mailed: 07/17/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1021.
  - \$981 for 109 total claims over 20.
  - \$40 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1441.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

09/20/2001 EABUBAK1 00000019 09858203

01 FC:201	355.00 DP
02 FC:202	40.00 DP
03 FC:203	981.00 DP
04 FC:205	65.00 DP

09/20/2001 09:22:58

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature, possibly "U/R", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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